

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:

Martha Jane Degarmo

Social Security No. xxx-xx-3735
Address: Post Office Box 1713, Carthage, 28327-1713

Case No. 07-81668
Chapter 13

Debtor

OBJECTION TO CLAIM

NOW COMES the Debtor above-named, through counsel, pursuant to 11 U.S.C. §502 and Bankruptcy Rule 3007, who respectfully objects to the proof of claim filed by the creditor CITIMORTGAGE and dated November 27, 2007, for the following reasons:

The Proof of Claim includes arrearage from June 1, 2007 through March 31, 2008. The Debtor began paying in her Chapter 13 on or about December 21, 2007, with said payment including the mortgage payment. Accordingly, the arrearage claim should only be for June 1, 2007, through November 30, 2007.

WHEREFORE, the Debtor prays that the Court enter an Order reducing the claim to the sum of \$3,825.00 .

Dated: December 16, 2009

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Edward Boltz
Edward Boltz
N.C. State Bar No. 23003
6616-203 Six Forks Road
Raleigh, N.C. 27615
(919) 847-9750

claimomd.wpt (rev. September 2, 2009)

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CERTIFICATE OF SERVICE

I, Renee Nolte, certify under penalty of perjury that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age and that on December 16, 2009. I served copies of the foregoing **OBJECTION TO CLAIM** electronically or, when unable, by regular first-class U.S. mail, addressed to the following parties:

CITIMORTGAGE
Attn: Managing Agent
Post Office Box 829009
Dallas, GA 75383

CITIMORTGAGE
Attn: Managing Agent
Post Office Box 9438
Gaithersburg, KS 20898

Joe Lozano
Attorney for CITIMORTGAGE
Brice Vanderlinden
9441 LBJ Freeway, Ste. 350
Dallas, 75243-

U.S. Bankruptcy Administrator

Richard M. Hutson, II
Chapter 13 Trustee

/s Renee Nolte
Renee Nolte